

REMARKS

Claims 1-14 remain pending in the application.

The Applicant respectfully requests the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

**Claims 1-14 over Nagata in view of Matsumoto**

In the Office Action, claims 1-14 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Nagata et al., U.S. Patent No. 5,974,154 ("Nagata") in view of Matsumoto et al., U.S. Patent No. 5,381,482 ("Matsumoto"). The Applicant respectfully traverses the rejection.

Claims 1-14 respectively recite, *inter alia*, adding a choice or selecting one of a plurality of a first delay and a choice or selecting one of a plurality of a second delay for use in a 3D audio sound system to create a perceived positional sound.

The Office Action alleged that since Nagata discloses use of a combination of FL, FR, RL and RR signals, Nagata discloses a 3D audio system (Office Action, page 6). The Applicant respectfully disagrees.

Nagata's system employing four speakers to produce sound does not make the sound produced by the four speakers 3D audio. Nagata utilizes a simplistic approach to adding depth to sound, i.e., adding echo. The Applicant is creating a perceived positional sound. Adding echo to a sound source does not allow a listener to perceive the sound's position at any particular location. The Applicant's invention allows a listener to listen to a sound and be fooled into thinking the source of the sound is at any point, created by a choice of delays. The recited choice of delay is what controls the perceived position of the sound to a listener. Nagata's echo effect can not achieve such a sophisticated result.

Moreover, the Office Action alleged that Matsumoto is not relied on to teach selecting or a choice of delays, but is relied on to teach that the magnitude of an additional/second delay is a fraction of that of a first delay produced by a preceding/first delay module (Office Action, page 6). The Office

Action correctly acknowledges, Matsumoto discloses a first fixed delay (20ms) added to a second fixed delay (0.7ms).

At best, even if the theoretical combination of Nagata and Matsumoto were combinable (which they are not), the combination would produce an echo generation system that would have a second echo delay unit having a fractional magnitude of a echo first delay. The delay values would still produce an echo effect (not a perceived positional sound). The echo effect produced would then not be as great with the second delay now being smaller than Nagata originally intended. Thus, the theoretical combination would produce an echo effect possibly not even meeting the needs of a karaoke system as envisioned by Nagata.

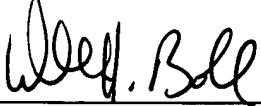
Neither Nagata nor Matsumoto, either alone or in combination, disclose, teach or suggest adding a choice or selecting one of a plurality of a first delay and a choice or selecting one of a plurality of a second delay for use in a 3D audio sound system to create a perceived positional sound, as respectively recited by claims 1-14.

Accordingly, for at least all the above reasons, claims 1-14 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

  
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